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| 10/754,708 | 01/12/2004 | Yu-hyok Kim | Q76061 | 9074 |
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| EXAMINER | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/754,708

Applicant(s)

KIM, YU-HYOK

Examiner

RICKY CHIN

Art Unit

2423

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-8, 10-13 and 15-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-8, 10-13 and 15-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

Response to Arguments

1. Applicant's arguments filed January 26, 2009 have been fully considered but are not persuasive.

Applicant argues that Sideman does not teach of wherein the client is operable to download the multimedia editing program from the server as recited in amended claim 1. The examiner respectfully disagrees since the multimedia program recited in amended claim 1, specifically refers back to a multimedia program whereby a client is operable to upload a video file and create a multimedia editing command file. Thus, the multimedia program downloaded does not preclude the multimedia program downloaded from being a program which interfaces for controlling a video editor such as that disclosed in Sideman (See [0073]-[0083] which discloses a virtual editor control panel and flash module which is downloaded by every client) so as long as the multimedia program allows for video files to be uploaded and multimedia editing command files to be created (See [0017] which discloses allowing for client uploads and [0024]-[0025] and [0076]-[0080] which discloses creating multimedia editing command files). In other words, the flash module and virtual editor control panel which is downloaded by every client is a multimedia editing program in itself and is construed to be the multimedia editing program of amended claim 1, as it allows for the uploading and creation of editing command files.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-8, 10-13, and 15-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sideman, US 2002/0116716 in view of Fushiki, US 2004/0044732.

Regarding claim 1, Sideman discloses a client, said client linked with a server through a network, the client operable to upload a video file to one or more network components (See abstract and fig. 1, element 10), create a multimedia editing command file using a multimedia editing program (See [0024]-[0025] and [0076]-[0080]), request editing of the video file in accordance with the multimedia editing command file (See [0020]-[0024]), wherein the client is operable to download the multimedia editing program from the server (See [0073]-[0083] which discloses a virtual editor control panel and flash module which is downloaded by every client; [0017] which discloses allowing for client uploads and [0024]-[0025] and [0076]-[0080] which discloses creating multimedia editing command files).

Sideman does not explicitly teach of wherein the created multimedia editing command file is located at said client. However, in the same field of endeavor, Fushiki teaches of the editing command file being created and located at said client location (See Fig.7 702-714 which discloses the client generating the editing list at the client machine in which the editing list can then be sent to the server). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to have modified the teachings of Sideman to incorporate creating the editing command list located at said

Art Unit: 2423

client as taught by Fushiki so that two or more users may perform peer-to-peer editing (See Fushiki, [0017]).

Regarding claim 3, the combination teaches all of the claim limitations of the client as claimed in claim 1, the combination further teaches of wherein the created multimedia editing command file includes resource information downloaded by the client from the server (See Sideman, [0126]-[0128], which discloses a media library information structure and editing module information structure).

Regarding claim 4, the combination teaches all of the claim limitations of the client as claimed in claim 3, Sideman further teaches of wherein the resource information is either one of a video clip or an icon (See Sideman, fig. 7-10 which present many icons and thumbnails as part of the GUI).

Regarding claim 5, Sideman discloses a server, said server linked to a client through a network (Sideman, See abstract), the server operable to receive a multimedia editing command file transmitted from the client and edit a video file stored in the server in accordance with the multimedia editing command file (Sideman, See [0017]-[0024] and analysis of claim 1), wherein the multimedia editing command file is created by use of a multimedia editing program downloaded by the client from the server (See analysis of claim 1).

Sideman does not explicitly teach of wherein the created multimedia editing command file is located at said client. However, in the same field of endeavor, Fushiki

Art Unit: 2423

teaches of the editing command file being created and located at said client location (See Fig.7 702-714 which discloses the client generating the editing list at the client machine in which the editing list can then be sent to the server). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to have modified the teachings of Sideman to incorporate creating the editing command list located at said client as taught by Fushiki so that two or more users may perform peer-to-peer editing (See Fushiki, [0017]).

Regarding claim 6, the combination teaches all of the claim limitations of the server as claimed in claim 5, the combination further teaches of comprising: a resource database that stores resource information and corresponding resources (See Sideman, [0081]); a user file uploading module that stores the video file and the multimedia editing command file, which is uploaded from the client to the resource database (See Sideman, [0020]); a resource information processing module that transmits the resource information to the client in accordance with a client request (See Sideman, [0127]-[0128]); and a video file editing module that edits the video file by using the corresponding resources in accordance with the multimedia editing command file (See Sideman, [0127]-[0129]).

Regarding claim 7, the combination teaches all of the claim limitations of the server as claimed in claim 6, the combination further teaches of comprising a preview module that allows a user to preview contents of the video file to be edited prior to editing the contents in accordance with the uploaded multimedia editing command file

(See Sideman, Fig 12. which discloses a several preview blocks and functions)

Regarding claim 8, the combination teaches all of the claim limitations of the server as claimed in claim 6 further the combination teaches of comprising: a user authentication module that performs authentication of a user connected to the server through the client (See Sideman, [0027]); and a user database that stores user information to be used when the user authentication is performed (See Sideman, [0027]) .

Regarding claim 10, the combination teaches all of the claim limitations of the server as claimed in claim 6, further the combination teaches of wherein the multimedia editing command file includes the resource information, which is downloaded by the client from the server (See Sideman, [0126]-[0128], which discloses a media library information structure and editing module information structure).

Regarding claim 11, the combination teaches all of the claim limitations of the server as claimed in claim 10, further the combination teaches of wherein the resource information is either one of a video clip or an icon (See Sideman, fig. 7-10 which present many icons and thumbnails as part of the GUI)

Regarding claim 12, Sideman discloses a multimedia file editing system linked to a client through a network, said multimedia file editing system comprising: a client operable to upload a video file to one or more network components (See abstract), create a multimedia editing command file using a multimedia editing program, and request

editing of the video file in accordance with the multimedia editing command file (See [0127]-[0128]); and a server operable to receive the multimedia editing command file transmitted from the client and edit the video file stored in the server in accordance with the multimedia editing command file (See Fig. 12 and [0127]), wherein the client is operable to download the multimedia editing program from the server (See analysis of claim 1).

Sideman does not explicitly teach of wherein the created multimedia editing command file is located at said client. However, in the same field of endeavor, Fushiki teaches of the editing command file being created and located at said client location (See Fig.7 702-714 which discloses the client generating the editing list at the client machine in which the editing list can then be sent to the server). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to have modified the teachings of Sideman to incorporate creating the editing command list located at said client as taught by Fushiki so that two or more users may perform peer-to-peer editing (See Fushiki, [0017]).

Regarding claims 13-23, the methods claimed have been analyzed and rejected with regards to claims 1-12 because operating the system of claims 1-12 would inherently imply said methods.

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky Chin whose telephone number is 571-270-3753. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on 571-272-7296. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2423

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